

4/6/16

2:45 P.m.

Chapter No. 358  
16/SS26/R853  
LR 12/2R

## ***SENATE BILL NO. 2387***

Originated in Senate



Secretary

SENATE BILL NO. 2387

AN ACT TO AMEND SECTION 27-103-159, MISSISSIPPI CODE OF 1972, TO REQUIRE STATE AGENCIES TO INCLUDE INFORMATION REGARDING ANY MAINTENANCE OF EFFORT (MOE) AGREEMENTS WITH THE FEDERAL GOVERNMENT IN THEIR ANNUAL BUDGET REQUEST TO THE LEGISLATIVE BUDGET OFFICE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 27-103-159, Mississippi Code of 1972, is amended as follows:

27-103-159. (1) For purposes of this section, the following terms shall have the following meanings ascribed to them:

(a) "Evidence-based program" shall mean a program or practice that has had multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population.

(b) "Research-based program" shall mean a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

(c) "Promising practices" shall mean a practice that presents, based upon preliminary information, potential for becoming a research-based or evidence-based program or practice.

(d) "Other programs and activities" shall mean all programs and activities that do not fit the definition of evidence-based, research-based or promising practices programs.

(e) "Program inventory" shall mean the complete list of all agency programs and activities that meet any definition set out in this section.

(f) "Program catalogue" means a compendium of programs compiled by a reputable source that publishes information for use by the government.

(2) Beginning with the fiscal year 2016 budget cycle, the Legislative Budget Office shall require the Department of Corrections, the Department of Health, the Department of Education, and the Department of Transportation to comply with the requirements of this section respecting the inventorying of agency programs and activities for use in the budgeting process. The aforementioned agencies shall submit all program information to the Legislative Budget Office in accordance with any policies established by that office setting out requirements for any filings required under this section.

(3) The Legislative Budget Office, the PEER Committee staff, and personnel of each of the agencies set out in this section shall review the programs of each agency and shall:

(a) Establish an inventory of agency programs and activities;

(b) Categorize all agency programs and activities as evidence-based, research-based, promising practices, or other programs and activities with no evidence of effectiveness, and compile them into an agency program inventory. In categorizing programs, the staffs may consult the Washington State Institute for Public Policy's Evidence Based Practices Institute's program catalogue or any other comparable catalogue of evidence-based, research-based, promising practices, or other programs and activities;

(c) Identify agency and program premises, goals, objectives, outcomes and outputs, as well as any other indicator or component the staffs consider to be appropriate;

(d) Establish a procedure for base-lining programs which are built around promising practices or other programs that do not meet the definition of evidence-based or research-based programs, so that further research can be conducted to gauge the program's effectiveness;

(e) Describe any methodologies used to develop any program which is neither evidence-based or research-based; and

(f) Establish a procedure for determining cost-benefit ratios for all programs of each agency.

(4) The Legislative Budget Office shall report to the Legislative Budget Committee the results of all activities

required by subsections (1), (2) and (3) of this section with recommendations as to how this information can be incorporated into budget recommendations and the appropriations process. The Legislative Budget Committee may incorporate such recommendations into the fiscal year 2017 budget and appropriations bills, or delay such incorporation until the committee is satisfied that the information collected and inventoried under the requirements of this section will enhance accountability and performance measurement for the programs and activities of state agencies.

(5) Beginning in the fiscal year 2017 budget cycle, the Department of Corrections, the Department of Education, the Department of Health and the Department of Transportation may be exempted from the requirement to prepare any information required by Section 27-103-153 and Section 27-103-155, Mississippi Code of 1972, except for the strategic planning requirements of Section 27-103-155.

(6) Beginning with the fiscal year 2017 budget presentation, and each year thereafter, each state agency, general fund agency and special fund agency shall provide to the Joint Legislative Budget Committee a report of all sources of revenue, including the amounts from each source, collected by the agency in the most recent fiscal year. Such report shall include a list of each tax, fine or fee assessed by the agency, and it shall include the following for each:

(a) The amount assessed;

- (b) The amount collected;
- (c) The code section, regulation, or other authoritative source that authorized their assessment and collection;
- (d) The method of determining assessments, including who is assessed, how the agency determines the amount of assessment, including rates;
- (e) The methods of collecting the amounts assessed;
- (f) The purposes for which the funds were expended by the agency;
- (g) The amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place;
- (h) The amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred; \* \* \*
- (i) The fiscal year-end balance of every fund that receives revenue generated by fines and fees \* \* \*; and
- (j) Any Maintenance of Effort agreements entered into with any federal agency or subdivision thereof.

For sums received from state sources, the agency shall list each source, including each special fund, along with the amounts received from each fund. For sums received from federal government sources, the agency shall list each source at its most

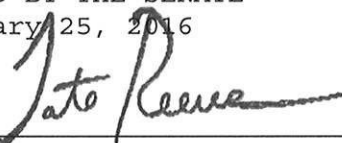
specific level, such as an office or division, not simply the federal department from which it came. The report shall also include a detailed description of the actions or results that were promised by the agency in order to receive these funds.

These reports shall be posted on the Legislative Budget Committee's website.

(7) The Legislative Budget Committee shall, no later than the 2019 Regular Session of the Legislature, make a recommendation to the Legislature regarding the application of the processes and requirements of this section to all agencies of state government.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE SENATE  
February 25, 2016



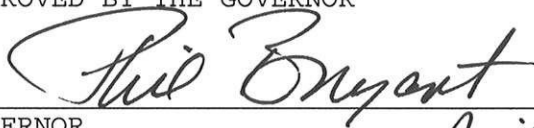
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 29, 2016



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

April 6, 2016  
2:45 pm